

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17201 of 2017

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Rajkishore @ Rajkishor son of Shri Nageshwar Tiwari resident of village -
Madhepura, P.S. - Hathori, District - Muzaffarpur, Bihar also at : resident of
H.No. - A. 74, Pandav Nagar, Karol Bagh, Patel Nagar. New Delhi - 110008.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Prohibition Excise & Registration Department,
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
4. The District Transport Officer, Muzaffarpur.
5. The District Magistrate-cum-Collector, Muzaffarpur.
6. The Superintendent of Excise, Muzaffarpur.
7. The Superintendent of Police, Muzaffarpur.
8. The S.H.O./Officer-in-Charge, Motipur Police Station, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Respondent/s : Mr. ANIL KUMAR SINHA - GA - 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2017 This writ petition has been filed for release of Maruti

Swift DZIRE LXI BS 4 M bearing Registration No. DL2CA

1555 which has been seized in connection with Motipur P.S.

Case No. 189 of 2017 for violation of the Bihar Prohibition and

Excise Act, 2016. The prayer made in the writ petition is to

release the vehicle in question pending finalization of the

confiscation proceedings and criminal case.

Seeking release of the vehicle in question, this writ petition

has been filed and it is common ground that in various cases,



similar petitions have been allowed and pending finalization of the confiscation proceedings, seized vehicle has been directed to be released.

Keeping in view the aforesaid, this writ petition is also allowed and the vehicle in question, i.e. Maruti Swift DZIRE LXI BS 4 M bearing Registration No. DL2CA 1555 shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Muzaffarpur within a period of one week from the date of furnishing the sureties, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the confiscation proceedings before the District Magistrate, Muzaffarpur so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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